

UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

AURELIO PATINO,  
aka "Augie,"  
ADILSON REYES,  
aka "Shanky,"  
CHRISTOPHER RUIZ,  
aka "Sneaky," and  
JOSE VILLEGAS,  
aka "Torch,"

Defendants.

No. ED 18-CR-00250-CJC-1

ORDER

Pursuant to the parties' Stipulation Re: Protective Order, the Court hereby FINDS and ORDERS as follows:

1. All documents and media produced in this case on or after the date the stipulation is signed, of whatever nature (e.g., printed, digital, etc.), which are (i) the autopsy report and photos, or (ii) which contain the identity, individually identifiable information, or the statements of incarcerated (or formerly

1 incarcerated) witnesses designated by the government, including the  
2 reports of investigation documenting interviews with such witnesses  
3 and recordings of interviews with such witnesses, shall be covered by  
4 this Order. The government shall identify as specifically as  
5 possible, including by Bates numbers, disk label, location within  
6 hard drive, or description of physical items, all materials provided,  
7 to be provided to the defense, or to be made available for review by  
8 the defense by the United States Attorney's Office, that are subject  
9 to this protective order.

10 2. Such documents and media shall hereafter be referred to as  
11 PROTECTED INFORMATION.

12 3. The government contends that this protective order sought  
13 will (a) greatly reduce the possibility that individuals will misuse  
14 discovery materials to identify, intimidate, or harm witnesses; (b)  
15 serve the public interest by protecting witnesses, their family  
16 members, and other members of the community by reducing the risk of  
17 retribution taken against witnesses by precluding the circulation of  
18 interview reports, statements, and other documents or materials  
19 relating to the witnesses within the prison system and the community;  
20 and (c) permit the defense to obtain discovery.

21 4. Only defense counsel, defense counsel's agents, and  
22 defendant Aurelio Patino ("defendant") may review the PROTECTED  
23 INFORMATION in preparation of the defense of the case. Defense  
24 counsel, defense counsel's agents and defendant may only use the  
25 PROTECTED INFORMATION or any portion thereof for the specific purpose  
26 of preparing or presenting a defense in this matter and for no other  
27 purpose.

1           5.     PROTECTED INFORMATION shall only be shared with defendant  
2 in the presence of his counsel or his counsel's agents. Defendant  
3 shall not be allowed to possess on his own, or copy or photograph,  
4 any PROTECTED INFORMATION, or any portion thereof.

5           6.     This order does not preclude defense counsel or defense  
6 counsel's agents from disclosing facts or other information contained  
7 within the PROTECTED INFORMATION to a witness or potential witness  
8 for use with respect to the trial in this matter. Before disclosing  
9 facts or other information derived from the PROTECTED INFORMATION,  
10 however, any witness or potential witness must be informed of, and  
11 agree to be bound by, the requirements of this Protective Order.  
12 That is, any witness or potential witness shall not disclose to any  
13 other person or entity any facts or other information derived from  
14 the PROTECTED INFORMATION. Any witness or potential witness may not  
15 retain PROTECTED INFORMATION, or any reproduction or copy thereof,  
16 after his or her review of such document with defense counsel (or  
17 defense counsel's agents) is complete. Further, any witness or  
18 potential witness may not write, make, or retain any notes, or cause  
19 any person other than defense counsel (or defense counsel's agents)  
20 to write, make or retain any notes that include any PROTECTED  
21 INFORMATION.

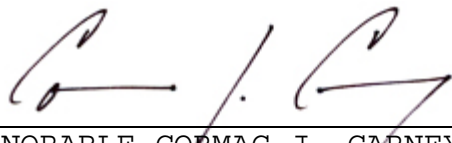
22           7.     Only defense counsel and defense counsel's agents may make  
23 copies of PROTECTED INFORMATION, and with respect to defense  
24 counsel's agents, only if they first, prior to accessing or copying  
25 any of the PROTECTED INFORMATION, receive a copy of the protective  
26 order and agree to be bound by the terms of the Court's order  
27 prohibiting the disclosure of the PROTECTED INFORMATION to other  
28 third parties.

1           8.     The PROTECTED INFORMATION shall not be filed with or  
2 submitted to the Court or reproduced in any court filing unless the  
3 documents are placed under seal.

4           9.     Within 90 days of the conclusion of this matter, to the  
5 extent consistent with defense counsel's ethical obligations, defense  
6 counsel will collect and destroy any and all copies of PROTECTED  
7 INFORMATION that defense counsel possesses and/or has made and  
8 distributed to their agents and/or defendant for the purpose of  
9 preparing or presenting a defense in this matter. If consistent with  
10 defense counsel's ethical obligations, defense counsel will certify  
11 in writing to counsel for the government that the PROTECTED  
12 INFORMATION has been destroyed. Litigation of this matter includes  
13 any appeal filed by defendant, and any motion that may be filed by  
14 defendant pursuant to 28 U.S.C. § 2255. To the extent that counsel  
15 must retain beyond this period any discovery containing the PROTECTED  
16 INFORMATION to fulfill his or her ethical obligations, that discovery  
17 shall be kept in a safe and secure location.

18           IT IS SO ORDERED.

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21     November 8, 2018  
22     DATE

  
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28     HONORABLE CORMAC J. CARNEY  
UNITED STATES DISTRICT JUDGE